



*Congress of the United States
House of Representatives
Washington, D.C. 20515*

*Anna G. Eshoo
Eighteenth District
California*

September 30, 2020

The Honorable Ajit V. Pai, Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Dear Chairman Pai,

I write in support of the Petition for Expedited Declaratory Ruling (Petition) filed by NCTA — The Internet & Television Association seeking certain clarifications of Section 224 of the Communications Act regarding pole attachment regulations.¹ Acting on this Petition will lower the steep costs of deploying broadband facilities in the hardest-to-reach regions of our country.

Tens of millions of Americans lack access to high-speed broadband. While the estimates of the Federal Communications Commission (FCC) find that nearly 20 million Americans lack broadband,² these numbers have long been considered inaccurate.³ A more reliable estimate from BroadbandNow finds the true number may be closer to 42 million.⁴ This staggering number is a national shame, and the COVID-19 pandemic has increased the impact of this disparity as more Americans than ever depend on broadband for access to education, healthcare, jobs, social services, civic engagement, and more.

Rural communities face significant burdens in accessing broadband due to unevenly distributed infrastructure.⁵ Nearly a quarter of adults living in rural areas say that getting access to high-speed internet is a major problem in their local community.⁶ Rural connectivity will only become more vital with predicted de-urbanization in response to COVID-19.⁷

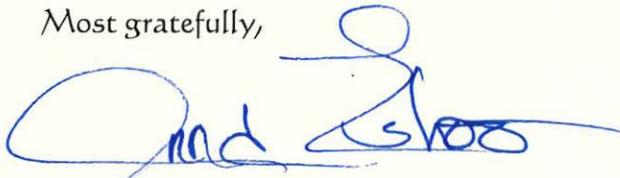
Private sector investment in expanding rural broadband is hindered by the high costs of deploying infrastructure.⁸ This deterrent leaves many Americans in digital isolation and prevents communities from accessing 21st century technology. The Petition directly addresses this issue by reducing the cost for private sector investment to expand rural broadband access.

'Make-ready' costs for pole attachments are one of the most significant barriers that hinder private sector investment in rural communities. I've long championed

streamlining 'make-ready' policies, including by introducing legislation.⁹ As the Petition states, 'make-ready' costs are driven substantially by the need for pole replacements and can represent as much as one third of the total expense of a buildout project. The cost of replacing a pole is often borne entirely by the broadband provider and attaching entity as a condition of access to the poles. Disagreements between attaching entities and pole owners inhibit timely deployment in unserved areas, and any national strategy to expand broadband access must address this issue.

I believe the Petition is reasonable and would assist in the FCC's priority of removing unnecessary impediments to broadband deployment and lead to an increased number of digitally connected Americans. I respectfully request that the FCC grant the ruling sought by the Petition.

Most gratefully,



Anna G. Eshoo
Member of Congress

cc: The Honorable Michael O'Rielly, Commissioner
The Honorable Brendan Carr, Commissioner
The Honorable Jessica Rosenworcel, Commissioner
The Honorable Geoffrey Starks, Commissioner

¹ Petition for Expedited Declaratory Ruling (Petition) (NCTA - The Internet & Television Association, July 16, 2020), <https://www.fcc.gov/ecfs/filing/107161552527661>.

² "2020 Broadband Deployment Report" (Federal Communications Commission, April 24, 2020), <https://docs.fcc.gov/public/attachments/FCC-20-50A1.pdf>.

³ See, e.g., Jessica Rosenworcel, "FCC Commissioner: Our Agency Says All Americans Are Gaining Advanced Internet Access. It's Wrong," *CNN*, April 29, 2020, <https://www.cnn.com/2020/04/29/perspectives/fcc-broadband-access/index.html>.

⁴ John Busby and Julia Tanberk, "FCC Reports Broadband Unavailable to 21.3 Million Americans, BroadbandNow Study Indicates 42 Million Do Not Have Access" (BroadbandNow, February 3, 2020), <https://broadbandnow.com/research/fcc-underestimates-unserved-by-50-percent>.

⁵ Anne Stauffer and Kathryn de Wit, "How States Are Expanding Broadband Access," (Pew Charitable Trust, February 27, 2020), <https://www.pewtrusts.org/en/research-and-analysis/reports/2020/02/how-states-are-expanding-broadband-access>.

⁶ Andrew Perrin, "Digital gap between rural and nonrural American persists," (Pew Research Center, May 31, 2019), <https://www.pewresearch.org/fact-tank/2019/05/31/digital-gap-between-rural-and-nonrural-america-persists/>.

⁷ Geoffrey Garrett, "The Post-COVID-19 World Will Be Less Global and Less Urban," *Knowledge@Wharton*, May 13, 2020, <https://knowledge.wharton.upenn.edu/article/post-covid-19-world-will-less-global-less-urban/>.

⁸ Anne Stauffer and Kathryn de Wit, "How States Are Expanding Broadband Access."

⁹ The *Clearing Local Impediments Makes Broadband Open to New Competition and Enhancements (CLIMB ONCE) Act*, H.R. 4858, 115th Cong. (2018); H.R. 2784, 116th Cong. (2019).